

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12629 of George Washington University, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3104.44 to continue the use of a parking lot in the R-5-C District at the premises 921-23 22nd Street and the rear of 919 22nd Street, N.W. (Square 75, Lot 857).

HEARING DATE: April 19, 1978

DECISION DATE: May 3, 1978

FINDINGS OF FACT:

1. The subject property is located in an R-5-C zone district on the east side of 22nd Street, N.W., between Pennsylvania Avenue and I Street.

2. The lot is currently approved as an accessory parking lot for George Washington University, as filed under Paragraph 3101.46 of the Zoning Regulations and approved by this Board's previous Order No. 11167, dated February 16, 1973. At that time, the lot was approved for a five year period.

3. The subject lot, located on 22nd Street between Eye Street and Pennsylvania Avenue, N.W., is irregularly shaped with a parking capacity for approximately 17 vehicles. The lot also contains a trash receptacle which serves a building located on adjoining property.

4. The property, currently leased to Colonial Parking, Inc., is operated in conjunction with another parking lot in the same square, with access from Pennsylvania Avenue. The two lots are connected through an alley, with no curb cut on 22nd Street for the subject lot.

5. This lot is primarily used as a commercial facility, serving surrounding offices, medical facilities and other commercial uses in the immediate vicinity. The applicant therefore has filed this application pursuant to Paragraph 3104.44 of the Zoning Regulations.

6. This lot is located within the boundaries of the George Washington University Campus Plan as approved by this Board. This site is designated for an extended care facility, which is to be constructed in the third phase of the university campus plan development. The University is currently in phase one of its development plans, and the third phase is not expected to begin for approximately fifteen years.

7. Advisory Neighborhood Commission 2A, by letter dated April 27, offered no opposition to the granting of this application on the grounds that the parking lot supports a number of neighborhood-oriented retail establishments, medical clinics and restaurant.

8. The Department of Transportation, by memorandum dated April 4, 1978, recommended that approval of the lot not exceed a four year period so that the accessibility by mass transit could be reviewed again at that time.

9. The Municipal Planning Office, by report dated April 13, 1978, recommended approval of this application on the grounds that the lot is a temporary use and serves the needs of surrounding medical facilities. The Board so finds.

10. At the public hearing of this application the Dupont Circle Citizens Association registered opposition to the application on the grounds that the subject lot is not indispensable to the University since, as the testimony disclosed the University, under Phase III, is planning to use the subject lot for a building site. The Board finds that the subject application must be decided on the conditions as they exist now and that the Board cannot presuppose that all the conditions will remain the same fifteen years from now, the time when Phase III is contemplated.

CONCLUSIONS OF LAW AND OPINION:

Based on the above Findings of Fact and the evidence of record the Board concludes that the continued use of this parking facility is not likely to become objectionable to nearby or adjoining property because of noise, traffic or other objectionable conditions, nor will it adversely affect the present character or future development of this neighborhood. It is therefore ORDERED that this application is hereby GRANTED SUBJECT to the following CONDITIONS:

a. Approval shall be for a period of three (3) years which shall be subject to renewal at the discretion of the Board upon the filing of a new application in the manner prescribed by the Zoning Regulations.

b. A screen fence shall be erected along the entire 22nd Street frontage of the lot sufficient in height to conceal the trash receptacle on the lot. The applicant shall also provide appropriate landscaping on the street side of the fence, with such landscaping to be approved by the Department of Transportation.

c. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.

d. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.

e. Bumper stops shall be erected and maintained for the protection of all adjoining building.

f. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.

g. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.

h. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.

i. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

j. Use of the lot shall be restricted to private automobiles of students and faculty only. No commercial vehicles or trucks permitted.

VOTE: 4-0 (Chloethiel Woodard Smith, Charles R. Norris, William F. McIntosh and Leonard L. McCants to grant; Walter B. Lewis not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: _____

9 JUN 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.